

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WILLIAM HERNDON,

Plaintiff,

v.

OFFICER LATHRUP, et al.,

Defendants.

Case No. 10-cv-0375-RAJ-JPD

REPORT AND RECOMMENDATION

Plaintiff is proceeding pro se and in forma pauperis in this 42 U.S.C. § 1983 civil rights action. By order dated March 10, 2010, the Court declined to serve Plaintiff's complaint and granted him leave to amend to correct the specified deficiencies in his complaint. Dkt. No. 6. Plaintiff had until April 12, 2010 to file an amended complaint. *Id.* To date, however, Plaintiff has failed to submit an amended complaint. Therefore, the Court recommends that this § 1983 action be DISMISSED without prejudice for failure to prosecute. A proposed order accompanies this Report and Recommendation.

The Clerk of the Court is directed to send copies of this Order to Plaintiff and to the Honorable James P. Donohue.

DATED this 28th day of April, 2010.



JAMES P. DONOHUE
United States Magistrate Judge